

Federal Communications Commission

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bidding; issues Public Notices announcing auctions for Common Carrier Service Licenses; specifies the licenses to be auctioned; the deadlines for filing short-form applications, filing fees, and submission of upfront payments; the time and place of the auction; the method of competitive bidding to be used; competitive bidding procedures including, but not limited to, designated entity preferences, applicable bid submission procedures, upfront payment requirements, activity rules, stopping rules, and bid withdrawal procedures.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

[39 FR 28435, Aug. 7, 1974]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting §0.91, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

CABLE SERVICES BUREAU

§0.101 Functions of the Bureau.

The Cable Services Bureau develops, recommends and administers policies and programs with respect to the regulation of services, facilities, rates and practices of cable television systems and with respect to the creation of competition to cable systems, and with respect to video programming services provided by other multichannel video programming distributors and multichannel video programmers. The Cable Services Bureau advises and recommends to the Commission, or acts for the Commission under delegated authority, in matters pertaining to the regulation and development of cable television and other multichannel video programming services. The Bureau also performs the following functions:

(a) Administers and enforces rules and policies regarding:

(1) Cable television systems, operators, and services, including those relating to rates, technical standards, customer service, ownership, competition to cable systems, broadcast station signal retransmission and carriage, program access, wiring equipment, channel leasing, and federal-state/local regulatory relationships. This includes: acting, after Commis-

sion assumption of jurisdiction to regulate cable television rates for basic service and associated equipment, on cable operator requests for approval of existing or increased rates; reviewing appeals of local franchising authorities' rate making decisions involving rates for the basic service tier and associated equipment, except when such appeals raise novel or unusual issues; acting upon complaints involving cable programming service rates except for final action on complaints raising novel or unusual issues; evaluating basic rate regulation certification requests filed by cable system franchising authorities; periodically reviewing and, when appropriate, revising standard forms used in administering; the Commission's complaint process regarding cable programming service rates; the certification process for local franchising authorities wishing to regulate rates, and the substantive rate regulation standards prescribed by the Commission;

(2) Access to poles, ducts, conduits and rights-of-way and the rates, terms and conditions for pole attachments, when such attachments are not regulated by a state and not provided by railroads or governmentally or cooperatively owned utilities, and complaints involving access to or rates, terms and conditions arising from pole attachments, except for final action on complaints raising novel or unusual issues;

(3) Open video systems;

(4) Preemption of restrictions on devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, and direct broadcast satellite services;

(5) The commercial availability of navigational devices;

(6) The accessibility of video programming to persons with disabilities; and

(7) Scrambling of sexually explicit adult video programming by multichannel video programming distributors.

(b) Plans and develops proposed rulemakings and conducts studies and analyses (legal, engineering, social and

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economic) of various petitions for policy or rule changes submitted by industry or the public.

(c) Conducts studies and compiles data relating to multichannel video programming services necessary for the Commission to develop and maintain an adequate regulatory program.

(d) Advises and assists, the public, other government agencies and industry groups. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding cable regulations and related matters.

(e) Administers financial and other reporting systems.

(f) Investigates complaints and answers general inquiries from the public.

(g) Participates in hearings before the Administrative Law Judges and the Commission.

(h) Processes applications for authorizations in the Cable Television Relay Service.

(i) Processes and acts on all applications for authorization, petitions for special relief, petitions to deny, waiver requests, requests for certification, objections, complaints, and requests for declaratory rulings and stays regarding the areas listed above, that do not involve novel questions of fact, law or policy that cannot be resolved under existing precedents and guidelines.

(j) Periodically reviews and, when appropriate, revises standard forms related to the areas listed above.

(k) Exercises authority to issue non-hearing related subpoenas for the attendance of witnesses and the production of books, papers, correspondence, memoranda, schedule of charges, contracts, agreements, and any other records deemed relevant to the investigation of the Cable Services Bureau. Before issuing a subpoena, the Cable Services Bureau shall obtain the approval of the Office of General Counsel.

(l) Carries out the functions of the Commission under the Communications Act of 1934, as amended, except as reserved to the Commission under §0.321.

[62 FR 8401, Feb. 25, 1997, as amended at 64 FR 60716, Nov. 8, 1999]

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ENFORCEMENT BUREAU

§0.111 Functions of the Bureau.

(a) Serve as the primary Commission entity responsible for enforcement of the Communications Act and other communications statutes, the Commission's rules, Commission orders and Commission authorizations, other than matters that are addressed in the context of a pending application for a license or other authorization or in the context of administration, including post-grant administration, of a licensing or other authorization or registration program.

(1) Resolve complaints, including complaints filed under section 208 of the Communications Act, regarding acts or omissions of common carriers (wireline, wireless and international).

NOTE TO PARAGRAPH (a)(1): The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against common carriers (wireline, wireless and international) and against other wireless licensees, and informal consumer complaints involving access to telecommunications services and equipment for persons with disabilities. The Common Carrier Bureau has primary responsibility regarding compliance with common carrier accounting and related requirements, including those imposed under section 220 of the Communications Act, and complaints regarding connection of equipment to the telephone network under part 68 of the Commission's rules. The International Bureau has primary responsibility for complaints regarding international settlements rules and policies. The Cable Services Bureau has primary responsibility for pole attachment complaints under section 224 of the Communications Act.

(2) Resolve complaints regarding acts or omissions of non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions, including complaints against aggregators under section 226 of the Communications Act and against entities subject to the requirements of section 227 of the Communications Act.

NOTE TO PARAGRAPH (a)(2): The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions,